

REMARKS

The present amendment is submitted in an earnest effort to advance this case to issue without delay.

1. The Examiner's comment in the first paragraph of page 2 of the Office Action has been carefully considered and a PTO 1449 form is enclosed herewith listing all of the references mentioned in the body of the application.

No further action with respect to these references is deemed to be necessary.

2. Claims 1 to 7 have been cancelled and replaced by new claims 8 and 9. Claim 8 is directed to the fully disposable toilet brush of the present invention and recites an open cell sponge (11) having a central hole (12) extending the full length of the sponge as is apparent from the broken line shown in FIG. 3.

The open cell sponge is formed with a multiplicity (i.e. more than two) outwardly convex axially extending ribs (13) extending between the ends of the sponge (FIG. 3) and having respective v-section grooves (14) defined between each two adjoining ribs. An adhesive (15) is provided between the tube (10) and the sponge (11) in the hole (12), see FIG. 2. Claim 9 is directed to a package (FIG. 4) having an easy tear portion (20) which contains two such toilet brushes (18, 19) in mutually

inverted position, i.e. with the horizontal portion of one opposite the sponge of the other and vice versa.

3. The references applied by the Examiner do not anticipate either of these claims

SUTTON et al Patent 4,601,081, for example, does have a handle which can be made of a paper based material (column 2, lines 1 and 2) but does not disclose a cardboard tube as will be apparent from the fact that the handle structure is clearly shown not to be tubular in FIGS. 1 to 4. Furthermore, there is no teaching in the reference, where the handle extends into a sponge material, that the hole into which the handle may extend will reach from one end to the other of the sponge. Nor is it apparent that the reference discloses, in any way, shape or form an adhesive between a tube extending the full length of the sponge and the hole in which that handle is received. While the reference, therefore, does disclose a toilet brush it does not anticipate claim 8. While it has not been applied as anticipating claim 7, the packaging is clearly not such in FIG. 2 as to provide two toilet brushes side by side in the relationship claimed.

Furthermore, Applicant notes that the Examiner's suggestion that the embodiment of FIG. 3 of SUTTON et al might meet a claim of the application does not apply to either claim 8 or claim 9 since neither of the "ribs" of FIG. 3 of SUTTON et al runs

axial as presently recited or is oriented as claims 8 and 9 require.

Applicant submits that claims 8 and 9 are not anticipated by KNOX et al Patent number 4,075,033 either since the structure identified as ribs in the KNOX et al reference does not suit the present claims either. For example, the structure identified as ribs by the Examiner in the excerpt from the KNOX et al patent shown in the Office Action does not have longitudinally extending ribs of uniform cross section rounded as claimed and oriented as recited. Note too that in both claims 8 and 9, the disposable sponge is described as consisting of the structure shown, thereby excluding the much more complex arrangement with spring, tie rod and the like of the KNOX et al system. Furthermore, there is no tube running the full length of the sponge in the excerpt structure or any adhesive between such a tube and the sponge in the hole.

Claims 8 and 9 are not anticipated by the DACONTA patent 5,471,697 either. The Examiner has interpreted the DACONTA patent far more broadly than Applicant believes the disclosure of DACONTA admits but even with that broader interpretation it should be clear that the DACONTA structure does not have the multiplicity of ribs of the configuration now recited in both claims 8 and 9.

Applicant submits further that the WOLF publication 20020054784 does not anticipate any claim in the case. The structure shown in FIG. 3 of this reference is a bristle structure and there is no suggestion of the ribs and sponge construction now

claimed any where in this reference, especially to the extent that the claims have been limited in the redrafting of claims 8 and 9.

4. The Examiner has also applied references in combination under 35 USC 103 and as to that, Applicant must challenge the Examiner's view that a combination of SPANN with SUTTON et al would yield the claimed structure. It has been pointed out that SUTTON et al does not have a cardboard tube, notwithstanding the Examiner's comments to the contrary and it can be seen from the end views of the handle in SPANN that SPANN does not have a tube either nor does the tube of SPANN extend to the end of the sponge. Thus even if one could combine the references in an obvious way, one would have neither the sponge structure now recited nor the relationship between a tube and that sponge as presently recited. With respect to the rejection of claim 7 on obviousness grounds, Applicant need merely note that one of the references recited in the combinations set forth on page 6 of the Office Action fairly suggests packaging toilet brushes as recited in claim 9 and as a consequence can be deemed to render claim 9 obvious.

Claims 8 and 9, therefore are allowable and an early notice to that effect is earnestly solicited.

Respectfully submitted,  
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